

13979. Misbranding of meat meal. U. S. v. 1,200 Sacks of Meat Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20598. I. S. No. 602-x. S. No. W-1812.)

On November 13, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 1,200 sacks of meat meal, remaining in the original unbroken packages at Swanstown, Calif., alleging that the article had been shipped by the Colorado Animal By-Products Co., from Ogden, Utah, in various consignments, namely, on or about September 22 and October 3 and 13, 1925, respectively, and transported from the State of Utah into the State of California, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Manufactured by Colorado Animal By-Products Co. Ogden, Utah, "Best Quality" Meat Meal Protein 60% Min."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 60% Min." borne on the labels, was false and misleading and deceived and misled the purchaser.

On December 18, 1925, the Colorado Animal By-Products Co. having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,750, conditioned in part that it be made to conform with the provisions of the law under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13980. Adulteration of eggs. U. S. v. 5 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20464. I. S. No. 1812-x. S. No. C-4824.)

On September 15, 1925, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 5 cases of eggs, remaining in the original packages at Cincinnati, Ohio, consigned by Thornsberry & Baird, Cynthiana, Ky., alleging that the article had been transported in interstate commerce from Cynthiana, Ky., into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On November 27, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13981. Adulteration and misbranding of morphine sulphate tablets, nitroglycerin tablets, nux vomica tincture, nux vomica fluidextract, aspirin tablets, and strychnine sulphate tablets. U. S. v. the Crystal Chemical Co., Inc. Plea of guilty. Fine, \$500. (F. & D. No. 19675. I. S. Nos. 12781-v, 12783-v, 13061-v, 13062-v, 13070-v, 13073-v, 16065-v, 16066-v, 16067-v, 16068-v.)

On November 9, 1925, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Crystal Chemical Co., Inc., a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on May 10, 1924, from the State of New York into the State of Maryland, of quantities of morphine sulphate tablets and nitroglycerin tablets, and on May 6, 9, and 20, 1924, respectively, from the State of New York into the State of New Jersey, of quantities of morphine sulphate tablets, nitroglycerin tablets, nux vomica tincture, nux vomica fluidextract, aspirin tablets, and strychnine sulphate tablets which were adulterated and misbranded. The articles were labeled, variously: "Tablets Hypodermic Morphine Sulphate 1-8 gr. Crystal Chem. Co. Inc. New York City U. S. A."; "Tablets * * * Nitroglycerine 1-200 gr."; "Tablets Hypodermic Morphine Sulphate 1-10 gr."; "Tablet Triturates Nitroglycerine 1-100 gr."; "Tincture Nux Vomica U. S. P."; "Fluid Extract Nux Vomica U. S. P."; "Tablets C. C. C. Aspirin 5 Grains"; "Tablets Hypodermic Strychnine Sulphate 1-150"; and "Tablet Triturates Nitroglycerine 1-100 gr."

Analysis by the Bureau of Chemistry of this department of samples of the articles showed that: The two lots of morphine sulphate tablets labeled "1/8 gr." contained 1/10 grain of morphine sulphate to each tablet, and those labeled "1-10 gr." contained 0.088 grain of morphine sulphate to each tablet; the nitroglycerin tablets labeled "1/200 gr." contained 1/350 grain of nitroglycerin to each tablet, and the two lots of nitroglycerin tablets labeled "1/100 gr." contained 1/80 grain of nitroglycerin to each tablet; the nux vomica tincture contained 0.277 gram of the alkaloids of nux vomica per 100 mls. which is 6 per cent more than the maximum amount permitted by the United States Pharmacopœia; the nux vomica fluidextract contained 2.19 grams of the alkaloids of nux vomica per 100 mls, which is 7 per cent less than the minimum permitted by the United States Pharmacopœia; the aspirin tablets, labeled "5 Grains," contained $4\frac{1}{4}$ grains of aspirin to each tablet; the strychnine sulphate tablets, labeled "1/150," contained 1/400 grain of strychnine sulphate to each tablet.

Adulteration of the morphine sulphate tablets, nitroglycerin tablets, aspirin tablets, and strychnine sulphate tablets was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that each of said tablets contained less of the product than declared on the label thereof. Adulteration of the nux vomica tincture and the nux vomica fluidextract was alleged in substance for the reason that they were sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopœia, official at the time of investigation, in that the nux vomica tincture yielded not less than 0.277 gram of the alkaloids of nux vomica per 100 mls, whereas the said pharmacopœia provided that nux vomica tincture should yield not more than 0.263 gram of the alkaloids of nux vomica per 100 mls, and the said nux vomica fluidextract yielded not more than 2.19 grams of the alkaloids of nux vomica per 100 mls, whereas the said pharmacopœia provided that nux vomica fluidextract should yield not less than 2.37 grams of the alkaloids of nux vomica per 100 mls, and the standard of strength, quality, and purity of the respective articles was not declared on the containers thereof.

Misbranding of the articles was alleged in substance for the reason that the statements, to wit, "Tablets * * * Morphine Sulphate 1-8 gr.," "Tablets * * * Nitroglycerine 1-200 gr.," "Tablets * * * Morphine Sulphate 1-10 gr.," "Tablet * * * Nitroglycerine 1-100 gr.," "Tincture Nux Vomica U. S. P.," "Fluid Extract Nux Vomica U. S. P.," "Tablets * * * Aspirin 5 Grains," "Tablets * * * Strychnine Sulphate 1-150," "Tablet * * * Nitroglycerine 1-100 gr.," as the case might be, borne on the labels of the respective products, were false and misleading, in that the said statements represented that each of the said tablets contained the amount of the product declared on the label thereof, and that the nux vomica tincture and the nux vomica fluidextract conformed to the standards prescribed for nux vomica tincture and nux vomica fluidextract in the United States Pharmacopœia, whereas the said tablets contained less than declared on the labels thereof and the nux vomica tincture and the nux vomica fluidextract did not conform to the standards prescribed by the said pharmacopœia for such products.

On November 23, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$500.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13982. Misbranding of sweet potatoes. U. S. v. Joseph W. C. Bell, Jr. Plea of guilty. Fine, \$100. (F. & D. No. 19612. I. S. No. 12137-v.)

On July 13, 1925, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph W. C. Bell, Jr., Muskogee, Okla., alleging shipment by said defendant, in violation of the food and drugs act as amended, on or about February 9, 1924, from the State of Oklahoma into the State of California, of a quantity of sweet potatoes in baskets which were misbranded. The article was labeled in part: "Bell Sweet Potatoes Brand J. W. C. Bell, Jr. Distributor Nashville, Ark."

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.